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April 9, 2020

Honorable Alison J. Nathan
United States District Court Judge
Southern District of New York
Thurgood Marshall
United States Courthouse
40 Foley Square
New York, NY 10007

Re: *Tucker v. Reebok International Ltd.*,
Civil No.: 1:19-cv-10344

Dear Judge Nathan:

The undersigned represents Henry Tucker, on behalf of himself and all other persons similarly situated (“Plaintiff”) in the above-referenced action against Reebok International Ltd., (“Defendant”). In accordance with Your Honor’s Individual Rules and Practices, we respectfully request a stay of this matter pending the resolution of the Motion to Dismiss pending before the Court in *Henry Tucker v. Whole Foods Market Group, Inc.*, No. 19-cv-9842 (RA) (*Tucker*). The Defendant has consented to this stay and therefore it would not prejudice either party.

Tucker asserts identical claims as those asserted in this case and with the same Plaintiff. The decision on the Motion to Dismiss in *Tucker* will therefore have a significant impact on this case, as it will help clarify and possibly narrow the issues in the matter and also help the parties determine how to move forward. Therefore, staying this matter pending the resolution of *Tucker* is in the interest of judicial economy and will help conserve both the parties’ and the Court’s time and resources. A stay was entered for similar reasons in many other cases pending before this Court which assert identical claims.¹

In the alternative, if the Court is not inclined to stay this matter, Plaintiff requests the Initial Conference scheduled for April 21, 2020 at 11:00 a.m. (Dkt. 11) be adjourned *sine die*.

¹Similar stays were recently granted on the same grounds by: Judge Daniels in *Delacruz v. Converse Inc.*, No. 1:19-cv-10293 (S.D.N.Y. Mar. 5, 2020); Judge Failla in *Calcagno v. Guess ? Inc.*, No. 1:19-cv-10441 (S.D.N.Y. Mar. 4, 2020); Judge Caproni in *Calcagno v. Drybar Holdings LLC*, No. 1:19-cv-11389 (S.D.N.Y. Mar. 3, 2020); Judge Abrams in *Matzura v. New Balance Athletics, Inc.*, No. 1:19-cv-11344 (S.D.N.Y. Mar. 4, 2020), *Calcagno v. Lululemon USA Inc.*, No. 1:19-cv-10430 (S.D.N.Y. Mar. 2, 2020), and *Delacruz v. Five Below, Inc.*, No. 1:19-cv-10294 (S.D.N.Y. Feb. 28, 2020); and Judge Woods in *Delacruz v. Jamba Juice Co.*, No. 1:19-cv-10321 (S.D.N.Y. Feb. 27, 2020) and *Calcagno v. Domino’s Pizza, Inc.*, No. 1:19-cv-09823 (S.D.N.Y. Feb. 24, 2020).

The reason for this request is the risk associated with contracting COVID-19, I am working from home and trying to avoid contact with all persons as much as possible.

Accordingly, the Plaintiff respectfully requests that this matter be stayed pending the Court's determination of the Motion to Dismiss in *Tucker* or, in the alternative, that Initial Conference be adjourned *sine die*.

We appreciate Your Honor's consideration of this request, and thank the Court for its time and attention to this matter.

Respectfully Submitted,

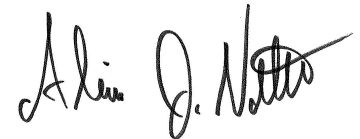
Gottlieb & Associates

s/Jeffrey M. Gottlieb, Esq.
Jeffrey M. Gottlieb, Esq.

cc: All Counsel of Record via ECF

The above request for a stay is GRANTED. The parties should provide a joint status update to the Court within two weeks of a decision on the motion to dismiss in *Henry Tucker v. Whole Foods Market Group, Inc.*, No. 19-cv-9842 (RA). The initial pre-trial conference currently scheduled for April 21, 2020 is hereby adjourned *sine die*.
SO ORDERED.

SO ORDERED. 4/10/20

A handwritten signature in black ink, appearing to read "Alison J. Nathan", is written over a white background within a rectangular box.

Alison J. Nathan, U.S.D.J.